

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BRIAN ANGLE, II,**

**Plaintiff,**

**v.**

**CAPT. CARTER, et al.,**

**Defendants.**

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**Civil Action No. 16-276 Erie**

**MEMORANDUM ORDER**

This prisoner civil rights action was received by the Clerk of Court on November 16, 2016 and was referred to the undersigned, then a United States Magistrate Judge, for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules for Magistrate Judges. On September 14, 2018, the undersigned was sworn in as a United States District Judge. Three days later, this action was transferred to the undersigned as the presiding district court judge. On September 27, 2018, the case was referred to United States Magistrate Judge Richard A. Lanzillo for all further pretrial proceedings.

On April 18, 2019, Judge Lanzillo issued an oral Report and Recommendation (“R&R”), ECF No. [72], on the record, recommending that Plaintiff’s motion for a preliminary injunction or temporary restraining order, ECF No. [68], be denied. Plaintiff filed objections to the R&R on May 7, 2019. *See* ECF No. [72].

After *de novo* review of the Complaint and documents in the case, together with the report and recommendation and Plaintiff’s objections thereto, the following order is entered:

AND NOW, this 17<sup>th</sup> day of May, 2019;

IT IS HEREBY ORDERED that Plaintiff's motion for a preliminary injunction and/or temporary restraining order, ECF No. [68], is DENIED. The report and recommendation of Magistrate Judge Lanzillo, entered orally on the record on April 18, 2019, ECF No. [72], is adopted as the opinion of this Court.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge

cc: Bryan Angle, II  
HY2333  
SCI Forest  
P.O. Box 945  
Marienville, PA 16239

The Honorable Richard A. Lanzillo  
United States Magistrate Judge